

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALEXANDER, individually and on behalf of all
persons similarly situated,

Plaintiffs,

CIV. 05- 4118

-against-

ANSWER

CONSOLIDATED EDISON COMPANY OF NEW YORK;
STEADMAN PARKING SERVICES, LLC; CONE-HIVES
PRODUCTIONS, LLC; and ALFRED STEADMAN

Defendants.
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PLEASE TAKE NOTICE that the undersigned attorney hereby appears in this proceeding on behalf of the defendants STEADMAN PARKING SERVICES, LLC., CONE-HIVES PRODUCTIONS, LLC, and ALFRED STEADMAN, and demands that all papers be served upon the undersigned at the address hereinafter set forth.

PLEASE TAKE FURTHER NOTICE that the defendants,, answering the Plaintiff's Complaint herein, responds upon information and belief as follows:

1. Denies any knowledge or information sufficient to form a belief as to any of the allegations contained in paragraphs numbered "2" and "5" of the complaint.

2. Denies each and every allegation contained in the paragraphs of the Complaint numbered, "1", "3", "4", "6", "7", "8", "9", "10", "11", "12" and "13" inclusive, of the complaint and respectfully refers all questions of law to the Court for determination.

AS AND FOR A FIRST CLAIM FOR RELIEF

3. As to Paragraph "14" of the Complaint, Defendant repeats, reiterates and realleges each and every denial contained in the answer to the complaint as if fully set forth herein.

4. Denies each and every allegation contained in the paragraphs of the Complaint numbered, "15" through and including "19", inclusive, of the complaint and respectfully refers all questions of law to the Court for determination.

AS AND FOR A SECOND CLAIM FOR RELIEF

5. As to Paragraph "20" of the Complaint, Defendant repeats, reiterates and realleges each and every denial contained in the answer to the complaint as if fully set forth herein.

6. Denies each and every allegation contained in the paragraphs of the Complaint numbered, "21" through and including "23", inclusive, of the complaint and respectfully refers all questions of law to the Court for determination.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

7. Plaintiff's lawsuit is in retaliation for being terminated by Defendants as an employee for cause.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

8. Lack of personal jurisdiction.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

9. Defendant ALFRED STEADMAN is a managing member of Defendant STEADMAN PARKING SERVICES, LLC. Plaintiff fails to set forth any basis for personal liability of Defendant ALFRED STEADMAN.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

10. Statute of Limitations.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

11. Waiver, estoppel, and laches.

AS AND FOR A SIXTH AFFIRMATIVE DEFENSE

12. Failure to state a cause of action.

AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE

13. Failure to exhaust administrative remedies.

WHEREFORE, this answering Defendants demands judgment dismissing the complaint in its entirety together with attorney's fees, costs and disbursements incurred by the answering Defendants in this proceeding, and for such other and further relief as this Honorable Court deems just, proper and equitable.

Dated: Briarwood, New York
December 22 , 2005

Yours, etc.,

s/ Bradley Zelenitz
BRADLEY ZELENITZ, ESQ. (BMZ-4104)
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